

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:
All Tennessee Actions Against The
St. Thomas Entities

MDL No. 2419
Master Docket No.: 1:13-md-2419-RWZ

Honorable Rya W. Zobel

DEMAND FOR JURY TRIAL

**PLAINTIFFS' STEERING COMMITTEES' MOTION TO COMPEL THE ST.
THOMAS ENTITIES TO RESPOND TO PRODUCE CERTAIN DOCUMENTS**

The Plaintiffs' Steering Committee (the "PSC") moves this Honorable Court, pursuant to Fed. Rule Civ. Pro. 37 and Local Rule 37.1, for an order compelling the St. Thomas Entities¹ to respond to certain document requests. After receiving responses to the PSC's second set of common discovery requests from the St. Thomas Entities and exchanging letters and conducting one separate telephonic conference with the St. Thomas Entities to narrow any dispute over their responses, the PSC now seeks the Court's intervention concerning those issues still in dispute.

The PSC respectfully requests that the Court compel the Saint Thomas Entities to produce:

- The marketing studies and focus group documents identified in RFPs 51-54 and 57-58;
- The managed care contracts negotiated by Saint Thomas Health on behalf of Saint Thomas Clinic requested in RFP 32; and

¹ The Defendants Saint Thomas West Hospital, formerly known as St. Thomas Hospital ("St. Thomas Hospital"), St. Thomas Health ("St. Thomas Health"), and St. Thomas Network ("St. Thomas Network") are collectively referred to as the "St. Thomas Entities".

- Documents responsive to the MPA inventory levels of the hospitals owned and operated on behalf of Saint Thomas Health as requested in RFP 64.

In support of this Motion, the PSC relies upon the Memorandum in Support thereof filed contemporaneously herewith.

September 17, 2015

Respectfully submitted,

s/ Benjamin A. Gastel

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Benjamin A. Gastel, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Date: September 17, 2015

/s Benjamin A. Gastel

Benjamin A. Gastel